## Cumulative Table of Cases Connecticut Appellate Reports Volume 182

## (Replaces Prior Cumulative Table)

Adams v. Commissioner of Motor Vehicles	165
Asia M. v. Geoffrey M	22
Bank of New York Mellon v. Horsey	417
Battistotti v. Suzanne A	40
Bolat v. Bolat	468
Bracken v. Windsor Locks	312

mined that action was our rea by worther by taches, whether that court symathy	
that defendant was prejudiced by delay was clearly erroneous.	00.4
Clements v. Aramark Corp.  Workers' compensation; whether plaintiff's head injury was compensable under	224
Workers Compensation Act (§ 31-275 et seq.); whether plaintiff's head injury arose out of employment; claim that Workers' Compensation Review Board	
improperly concluded that plaintiff's head injury did not arise out of employment	
because fall was caused by personal infirmity rather than workplace condition.  Deutsche Bank National Trust Co. v. Pollard	483
Foreclosure; counterclaim; summary judgment; whether trial court properly ren-	400
dered summary judgment in favor of plaintiff on counterclaim; claim that trial court construed transaction test too narrowly; whether trial court abuse its discre-	
tion in determining that counterclaim did not have sufficient nexus to making, validity or enforcement of note or mortgage to survive summary judgment.	
General Ins. Co. of America v. Okeke	83
Declaratory judgment; insurance; action seeking declaratory judgment to determine whether insurer was obligated to defend and indemnify insureds in certain civil	
actions brought against them; claim that trial court improperly granted motion	
for summary judgment; claim that trial court improperly determined that insurer had no duty to defend or indemnify insureds; adoption of trial court's memoran-	
dum of decision as statement of facts and applicable law on issues.	
Geoffrey M. v. Asia M. (See Asia M. v. Geoffrey M.)	22
Georges v. OB-GYN Services, PC (Memorandum Decision)	901
Hamburg v. Hamburg	332
court improperly denied motion to dismiss; whether trial court erroneously con-	
cluded that substitute plaintiff, as temporary administrator of estate of decedent, had standing to prosecute action for repayment of funds that defendant took from	
children's education accounts; whether trial court improperty concluded that	
because defendant had prior opportunity to raise claim of standing at time	
substitute plaintiff filed motion to be substituted as plaintiff, defendant was	
precluded from questioning standing of substitute plaintiff to pursue moneys	
owed children; whether substitute plaintiff had direct interest in moneys defend- ant took from children's education funds; whether trial court properly granted	
motion to intervene filed by one of children.	
Jayne K. v. Kyle S. (See Kyle S. v. Jayne K.).	353
Kyle S. v. Jayne K	353
Dissolution of marriage; custody orders; relief from abuse; emergency ex parte order	000
of custody; whether trial court erred in granting application for relief from abuse;	
whether trial court erred in granting application for emergency ex parte order	
of custody; whether trial court erred in admitting minor child's mental health	
records into evidence; claim that waivers by parents were invalid; whether trial	
court improperly delegated its authority to nonjudicial entity.	
Labissoniere v. Gaylord Hospital, Inc.	445
Medical malpractice; motion to dismiss; personal jurisdiction; sufficiency of opinion	
letter authored by similar health care provider; claim that trial court improperly	
considered defendants' supporting affidavits and thereby applied incorrect legal standard in deciding motions to dismiss; whether opinion letter authored by	
physician and general surgeon was by "similar health care provider" as defined	
by statute (§ 52-184c) when defendant physicians were board certified in internal	
medicine; claim that trial court improperly required that opinion letter state	
that defendant physicians were acting outside scope of their medical specialty	
in order to apply exception in § 52-184c (c) for physicians who provide treatment	
and diagnosis outside area of specialty; claim that treatment and diagnosis of	
plaintiffs' decedent was within medical specialty of surgery and that exception to	
requirement that author of opinion letter be similar health care provider applied.	
Lewis $v$ . Commissioner of Correction (Memorandum Decision)	901
Lynn v. Bosco	200
Declaratory judgment; action seeking declaratory judgment to determine whether plaintiffs' preemptive rights as shareholders of stock in defendant corporation	
were violated in connection with sale of certain shares of corporation's stock to	
individual defendants; whether trial court had authority to order equitable relief	
that imposed remedy on defendant corporation, which was cited in as defendant for notice purposes only; whether trial court's order was inconsistent with issues	
as framed in pleadings, which did not include any allegations of wrongdoing	

against defendant corporation or seek any relief from it; whether defendant

corporation had notice that equitable relief would enter against it; whether trial court's order resulted in unfair surprise to defendant corporation.	
Mann v. Bains (Memorandum Decision)	902
Peacock v. Commissioner of Correction (Memorandum Decision)	901
Perez v. University of Connecticut	278
Negligence; sovereign immunity; claim that trial court improperly granted state's	
motion to strike matter from jury list in violation of plaintiff's constitutional	
right to jury trial; whether plaintiff established that he would have been able to	
bring present action seeking money damages against state prior to 1818; claim	
that jury trial was permissible in actions against state authorized by General	
Assembly pursuant to statute (§ 4-159) because state must be treated as private	
person pursuant to §§ 4-159 (c); whether § 4-159 (c) could be fairly construed	
to grant to plaintiff rights he would have had if action were brought against	
private person rather than state, including right to jury trial; whether statute	
(§ 4-160 [c]) could be read as conferring right to jury trial when § 4-160 (f)	
expressly provides that actions brought against state pursuant to § 4-159 shall	
be tried to court, not jury.	
Plainville v. Almost Home Animal Rescue & Shelter, Inc	55
Negligence per se; unjust enrichment; motion to strike; claim that trial court applied	
improper legal standard in ruling on motion to strike; whether trial court properly struck count of complaint alleging negligence per se; whether trial court correctly	
determined that plaintiffs were not among intended beneficiaries of applicable	
statute (§ 53-247 [a]); whether, as matter of law, plaintiffs could not rely on	
§ 53-247 (a) as basis for maintaining negligence per se action against defendant;	
whether trial court properly struck count of complaint alleging unjust enrichment;	
whether plaintiffs could not avail themselves of action sounding in unjust enrich-	
ment in light of adequate statutory (§ 22-329a [h]) remedy.	
Reyher v. Finkeldey	159
Contracts; real estate; whether trial court erroneously concluded that plaintiff met	
burden of proving that he procured buyer that was ready, willing and able to	
purchase defendant's property in accordance with terms of listing agreement	
where buyer was not ready, willing and able to close on property without fulfill-	
ment of certain financing and inspection contingencies.	
State v. Bennett	71
Motion to correct illegal sentence; motion to dismiss; whether trial court properly	
dismissed, for lack of subject matter jurisdiction, postjudgment motions to dis- miss information under which defendant was convicted where motions did not	
raise issues over which court had jurisdiction beyond defendant's sentencing	
date; whether trial court abused its discretion by denying portion of motion to	
correct illegal sentence that claimed defendant had been sentenced on basis of	
materially inaccurate information contained in presentence investigation report.	
State v. Brown	112
Murder; criminal possession of firearm; claim that trial court committed plain error	
by providing inadequate jury instructions regarding eyewitness testimony and	
$identification\ reliability; whether\ defendant\ explained\ or\ demonstrated\ how\ trial$	
court's alleged error was obvious, readily discernible or resulted in prejudice, or	
that manifest injustice occurred as result of alleged instructional omission;	
whether defendant established legal requirement for trial court, in absence of	
expert testimony or request from defendant for such instruction, to provide, sua	
sponte, additional instruction about eyewitness testimony reliability; whether	
defendant explained how such alleged omission resulted in prejudice; request for this court to exercise its supervisory authority over administration of justice to	
review and reverse defendant's conviction.	
State v. Crosby	373
Robbery in first degree; larceny in third degree; whether trial court improperly	515
denied motions to dismiss charges in violation of defendant's due process rights	
and rights under Interstate Agreement on Detainers (§ 54-186 et seq.), where	
state delayed more than four years after arrest warrant had been issued before	
extraditing defendant from Massachusetts; claim that trial court improperly	
determined date that state lodged detainer; claim that delay in lodging detainer	
had impact on memory of eyewitnesses, thereby resulting in substantial prejudice	
had impact on memory of eyewitnesses, thereby resulting in substantial prejudice to defendant; claim that trial court improperly denied motion to suppress witness	
had impact on memory of eyewitnesses, thereby resulting in substantial prejudice to defendant; claim that trial court improperly denied motion to suppress witness identifications made from photographic array; claim that identification proce-	
had impact on memory of eyewitnesses, thereby resulting in substantial prejudice to defendant; claim that trial court improperly denied motion to suppress witness	

similar from photograph of defendant in array; claim that absence of use of sequential, double-blind photographic array rendered identification procedure unnecessarily suggestive; claim that defendant was denied fair trial because trial court's jury instruction on identification allegedly failed to explain certain factors that negatively impact on identifications made by witnesses; claim that defendant was denied fair trial because trial court allegedly excluded instructions necessary to assist jury in assessing accuracy of eyewitness perception and credibility.	195
State v. Dijmarescu  Breach of peace in second degree; whether trial court abused its discretion in granting defense counsel's motion to withdraw from representation; whether counsel complied with purpose of notice provision in rule of practice (§ 3-10 [a]) applicable to motion to withdraw; claim that motion to withdraw implicated sixth amendment right to counsel; claim that trial court improperly admitted evidence of prior uncharged misconduct; whether trial court violated defendant's right against self-incrimination by failing to canvass defendant to determine if decision to testify was intelligent and voluntary; request for this court to exercise its supervisory authority over administration of justice.	135
State v. Hall	103
Manslaughter in first degree; claim that trial court improperly failed to provide jury with instruction concerning defendant's lack of duty to retreat from scene of incident in violation of sixth amendment right to present defense; whether duty to retreat played part in defendant's criminal trial; whether defendant established existence of constitutional violation that deprived him of fair trial.	100
State v. Hearl	237
double jeopardy; claim that phrase "any animal" in § 53-247 (a) refers to species of animal rather than to individual animal.	
State v. Holmes	124
Felony murder; home invasion; conspiracy to commit home invasion, criminal possession of pistol or revolver; whether trial court abused its discretion in denying motion to correct illegal sentence on basis of its finding that defendant's sentence for felony murder had been predicated on defendant's conviction of burglary, which trial court had vacated on double jeopardy grounds; claim that when conviction of burglary in first degree was vacated, conviction of home invasion became predicate offense for felony murder, which violated federal and state constitutions because at time defendant committed offense of home invasion, it was not defined as predicate offense for felony murder in applicable statute (§ 53a-54c); whether fact that trial court vacated defendant's burglary conviction on double jeopardy grounds altered fact that it remained predicate offense for felony murder charge.	
Szymonik v. Szymonik (Memorandum Decision)	902
Tedesco v. Agolli  Foreclosure; claim that trial court improperly found that defendant member of defendant limited liability company had authority to bind defendant limited liability company to mortgage at issue; adoption of trial court's memorandum of decision as proper statement of facts, issues and applicable law.	291
Ugalde v. Saint Mary's Hospital, Inc	1
complaint where request was filed after expiration of statute of limitations for wrongful death actions; whether trial court improperly dismissed action for lack of personal jurisdiction where complaint was supported by opinion letter from health care provider that was legally insufficient under statute (§ 52-190a [a]); whether trial court abused its discretion in denying motion to reargue denial of motion to set aside judgment of nonsuit.	
White $v$ . Commissioner of Correction	188
Habeas corpus; claim that petitioner's right to due process was violated because guilty plea was not made knowingly, intelligently and voluntarily; claim that petitioner's trial counsel provided ineffective assistance by failing to adequately	

research and investigate issue of petitioner's mental state at time of guilty plea and to bring information to trial court's attention; claim that medication peti-tioner was taking on day of guilty plea substantially impacted petitioner's ability to understand plea agreement and proceedings; whether habeas court erred in failing to find that petitioner's due process rights were violated; whether petitioner's guilty plea canvass was constitutionally sufficient; whether habeas court's findings were adequately supported by record; credibility of witnesses; whether habeas court erred in concluding that trial counsel did not render ineffective assistance; whether record showed reasonable probability that petitioner would have chosen to proceed to trial rather than plead guilty if trial counsel had further investigated petitioner's mental state or brought it to trial court's attention.

escrow funds; claim that trial court disregarded order of this court by failing to effectuate return of escrow funds; whether trial court erred by not using its equitable powers to effectuate return of subject funds.